REMARKS

According to the present Office Action, claims 1-15, 19-24, 33-40 are pending in the application. Claims 28-32 have previously been canceled.

Applicants' undersigned attorney wishes to thank Examiner Michael Hicks for the opportunity, on October 21, 2008, to conduct a telephonic interview regarding the pending Application. During the interview, the distinctions between the pending claims and the cited art were discussed. The Examiner appreciated the differences and stated that a further search will be conducted to determine the allowability of the pending claims. Should the examiner have any questions or concerns that might be efficiently resolved by way of a telephonic interview, the examiner is invited to call Applicants' undersigned attorney at 206-903-2474.

Claim Rejections – 35 U.S.C. § 103

Claims 1-14, 19-24 and 33-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pub. No. 200210078045 Al (Dutta) in view of U.S. Pub. No. 200410034633 Al (Rickard) and further in view of U.S. Pat. No. 6,963,867 B2 (Ford et al.). It is respectfully submitted that claims 1-14, 19-24 and 33-40 are patentable for the reasons set forth below.

Rickard is generally directed to a non-textual data searching system for searching non-textual data at semantic levels above the fundamental symbolic level (see Abstract). Specifically, the Examiner contends that Rickard paragraph 0067 lines 1-12 discloses:

> assigning said score to said document in inverse proportion to the number of documents located on said Web server resulting in said score being assigned to said document by being distributed among said number of documents, including said document, whereby when said number of documents increases said score assigned to said document decreases and when said number of documents decreases said score assigned to said document increases

as currently recited in claim 1. Applicant respectfully disagrees. The cited passage states, in relevant part:

> Some approaches weight document relevance based upon the frequency of occurrence of a keyword in the document (on the assumption that more occurrences indicate greater relevance), while others include an

> additional factor of inverse document frequency, which weights the relevance of keywords in a multi-keyword query in inverse proportion to the number of documents in which they occur (on the assumption that fewer occurrences of a keyword within a document may imply greater specificity).

The above passage is directed to the estimation of a document's relevance in the context of a keyword search. The relevance of a document with respect to a keyword may be related to the frequency of the keyword in the document. Alternatively, the relevance may be related in inverse proportion to the number of documents containing a keyword. In either case, the relevance is estimated as a function of the relationship between *keywords* and *documents* containing the keywords. Applicant respectfully submits that the passage does not disclose "assigning said score to said document in inverse proportion to the *number of documents located on said Web server* resulting in said score being assigned to said document by being *distributed among said number of documents*" (emphasis added) as previously recited in claim 1.

First, the cited passage does not at all address distributing a score among documents. Second, the passage fails to disclose the *number of documents on the Web server* as a relevant parameter. The number of documents on a server is a parameter entirely different than the number of documents containing a keyword. As discussed in the specification paragraph 0059, using such a parameter may be useful, for example, in diminishing the influence of endorsements for a Web page when they originate from the same server.

Applicant hereby respectfully submits that at least these two differences between claim 1 and Rickard render claim 1 patentable in view of the cited art. The other independent claims, 19 and 33, recite similar subject matter to that of claim 1. Hence, insofar as any dependent claims incorporate limitations from these independent claims, they also patentably define over the cited art.

Applicant has amended claims 1 and 19 in order to more clearly recite the claimed subject matter, to recite that the methods are implemented in a computing environment, and to correct typographical errors. Applicants submit that no new matter has been added and that the scope of the claims has not changed.

As a further matter, Applicant respectfully disagrees that Ford et al. teaches a number of documents located on web server. Ford et al. is generally directed to a search engine

system that displays the results of a multiple-category search according to levels of relevance of the categories to a user's search query. The Abstract, cited by the Examiner, states that scores may be based, for example, on the number of hits within each category relative to the total number of items in that category, the popularity levels of items that satisfy the query, a personal profile of the user, or a combination thereof. The Abstract does not disclose a number of documents located on a web server as the Examiner contends.

Regarding claim 2, Applicant respectfully disagrees that the cited passage discloses "in proportion to the number of said at least one other document" because the cited passage does not pertain to another document. Regarding claim 3, the cited passage merely states "additional ranking criteria" but does not disclose "assigning the score in proportion to at least one score assigned to at least one of said at least one other document." For similar reasons, Applicant submits that claim 4 is not disclosed by the cited passages. Regarding claim 5, Applicant respectfully disagrees that Dutta as modified is directed to assigning the score to the document in inverse proportion to the number of outlinks of at least one of said at least one other document because the cited passage does not appear to address outlinks as contended by the Examiner.

Regarding claims 6, 7, and 8, in accordance with the above discussion, Applicant respectfully submits that the cited passages from Dutta, Rickard, and Ford et al. do not disclose assigning the score to the document in inverse proportion to the number of documents located on the same domain / having the same symbolic host name / associated with the same IP address as said document. Each of these embodiments are associated with the parameter of the number of documents on a Web server, which Applicant has shown above is not disclosed by the cited passages.

Regarding claim 12 the cited passage from Dutta does not disclose assigning a preferred set of documents scores higher than an average minimum score as contended by the Examiner.

CONCLUSION

Applicant believes that the present remarks are responsive to each of the points raised by the examiner in the Office Action, and submits that claims 1-14, 19-24 and 33-40 of the

application are in condition for allowance. Favorable consideration and passage to issue of the application at the examiner's earliest convenience is earnestly solicited.

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